

# Wetlands Bureau Decision Report

*Reviewed*  
*2/1/16*

Decisions Taken  
01/25/2016 to 01/31/2016

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at [appeals@des.nh.gov](mailto:appeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

## MAJOR IMPACT PROJECT

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**2015-02088                      NH DEPT OF TRANSPORTATION**  
**NASHUA   Nahua River, South End Marsh**

### Requested Action:

At 10 locations repair culverts by replacing or slip lining; repair or replace headwalls, and stabilize inlets and outlets to prevent further erosion of slopes and embankments impacting 8,541 sq. ft. (7,091 sq. ft. temporary) of riverine and palustrine wetlands.

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### Conservation Commission/Staff Comments:

Conservation Commissions - no comments

### APPROVE PERMIT:

At 10 locations repair culverts by replacing or slip lining; repair or replace headwalls, and stabilize inlets and outlets to prevent further erosion of slopes and embankments impacting 8,541 sq. ft. (7,091 sq. ft. temporary) of riverine and palustrine wetlands.  
NHDOT project 29024

### With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Turnpikes:
  - (a) dated July 2015, as received by the Department on Aug. 7, 2015 and
  - (b) the amended plans for locations 8,9,10, and 11 having no amended dates but received by the Department on Dec. 24, 2015.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically allowed.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

16. The permittee shall assure the recommendations from NH Fish and Game Dept. are followed.
17. Water quality shall be monitored at the outlets of locations 8 and 9 to assure there are no impacts to the Designated Prime Wetlands.
18. The permittee shall conduct yearly inspections and submit a summary report to the file by Nov. 1st for three years after project completion to assure the absence perched outlets and showing connectivity has been restored per rule Env-Wt 904.01(f).
19. The permittee shall notify the file at the start of construction and upon completion.
20. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(k), alteration of jurisdictional areas where state or federally listed endangered or threatened species have been documented.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. On August 7, 2015 an application was received to: Repair culverts at 11 locations by replacing or slip lining with centrifugal cast concrete; stabilize / repair headwalls, inlets and outlets to prevent further erosion of slopes and embankments impacting 6,381 sq. ft. (5,076 sq. ft. temporary) of riverine and palustrine wetlands for NHDOT project #29024.
6. On October 30, 2015 the DES requested more information relative to importance resources that were not identified in the application submittal and to clarify locations of the impacts on the plans that appeared to conflict with other data in the application.
7. On December 24, 2015, the DES received a response to the request for more information including the removal of location #1 from the application, corrected drainage area size and location information, corrected jurisdiction areas, an increase of 2,160 sq. ft. of overall impact areas and modified plans for locations 8,9,10, and 11.
8. The DES finds that the applicant's preferred alternative designs for culvert repair using cast concrete sliplining at stream crossings are acceptable to allow a textured bottom for animal passage when considering the cost of a fully compliant structure.
9. The DES does not accept the applicant's reasoning that culvert replacement with a stream compliant crossing structure will result in larger impacts or that a compliant requires scour protection adding downstream impacts.
10. The DES agrees with the NH Fish and Game Dept. that the sliplining of a 36 in. culvert with smooth bore plastic will effectively eliminate opportunities for wildlife passage.
11. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine and riverine resources as identified under RSA 482-A:1.

**2015-02627                      TOWN OF BELMONT**  
**BELMONT   Tioga River**

Requested Action:

Proposal to dredge and fill 1,000 sq. ft. of perennial stream "Tioga River" (includes 800 sq. ft. of temporary impact), Tier 3 stream crossing, to replace an 8 ft. x 40 ft. run CMP culvert on Hoadley Road with a 12 ft. span x 8 ft. rise x 32 ft. run "i-Series Box Culvert" embedded with 1 ft. with natural stream bed materials or open bottom arch culvert with a natural stream bed.

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Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

**APPROVE PERMIT:**

Dredge and fill 1,000 sq. ft. of perennial stream "Tioga River" (includes 800 sq. ft. of temporary impact), Tier 3 stream crossing, to replace an 8 ft. x 40 ft. run CMP culvert on Hoadley Road with a 12 ft. span x 8 ft. rise x 32 ft. run "i-Series Box Culvert" embedded with 1 ft. with natural stream bed materials or open bottom arch culvert with a natural stream bed.

**With Conditions:**

1. All work shall be in accordance with plans by Underwood Engineers dated 9/23/15 with cover sheet date January 8, 2016 and narratives, as received by the NH Department of Environmental Services (DES) on January 13, 2016.
2. The Town shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property their property. Copies shall be supplied to DES Wetlands Bureau File No. 2015-02627 prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during low flow.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
8. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
9. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
10. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
11. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
12. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack.
20. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p) Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant's agent indicated that the current crossing is approaching the end of its design life and in need of replacement. Additionally, the culvert is identified in the Town's Hazard Mitigation Plan Update (2014) to mitigate hazards associated with potential flooding.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The new crossing will replace a single 8 ft. x 40 ft. run CMP culvert.
6. The replacement design was submitted under Administrative Rule Env-Wt 904.08(b).
7. The applicant is requesting approval as an Alternative Design per Administrative Rule Env-Wt 904.09 because a fully compliant structure was estimated to be a 22 foot span with an estimated project cost of \$870,000.00 dollars.
8. The cost was not considered practicable because the Town's project budget is only \$375,000.00 dollars.
9. A New Hampshire Licensed Professional Engineer ("PE") conducted a hydrological analysis of the existing conditions and proposed replacement.
10. The PE has documented that the existing culvert is overtopped during the 50-year flood.
11. The PE has documented that the new structure will pass the 100-year storm event with 1.5 feet of freeboard in the culvert and 4.5 feet to the road surface.
12. The new structure is 4 feet wider and 8 feet shorter with a natural stream bed.
13. The department approved the request due to noted cost constraints, improved hydrologic capacity and improved geomorphic compatibility of the new crossing.
14. The applicant has submitted a plan set that is stamped by a PE.
15. The PE has indicated that no downstream impacts are anticipated.
16. The design meets the criteria for a Tier 3 Stream crossing (Env-Wt 904.05) to the extent practicable.
17. The department has not received any abutter or public comments in objection to the proposed project.
18. The Conservation Commission signed the application.
19. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2015-02633                      DOG COVE ASSOCIATION**  
**CENTER HARBOR   Squam Lake**

**Requested Action:**

Repair 5 section of an existing retaining wall totaling 48.5 linear ft., install five 4 ft. x 6 ft. concrete anchor pads, replace existing seasonal piers with four 6 ft. x 30 ft. seasonal piers, one 6 ft. x 24 ft. seasonal pier, and install two 3/8 inch rebar rods at end of permitted boat launch to prevent roll-off with trailers within a community docking facility, on an average of 681 ft. of frontage in Dog Cove, on Squam Lake, in Center Harbor.

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**APPROVE PERMIT:**

Repair 5 section of an existing retaining wall totaling 48.5 linear ft., install five 4 ft. x 6 ft. concrete anchor pads, replace existing seasonal piers with four 6 ft. x 30 ft. seasonal piers, one 6 ft. x 24 ft. seasonal pier, and install two 3/8 inch rebar rods at end of permitted boat launch to prevent roll-off with trailers within a community docking facility, on an average of 681 ft. of frontage in Dog Cove, on Squam Lake, in Center Harbor.

**With Conditions:**

1. All work shall be in accordance with plans dated September 8, 2015, as received by DES on October 1, 2015.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
12. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
13. This permit does not allow dredging for any purpose.
14. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a major docking facility.
2. The applicant has an average of 681 feet of frontage along Squam Lake.
3. A maximum of 10 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 10 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The docking structures will provide 36 less sq. ft. of impact over public waters than the docking structures approved under previously approved Permit #1997-00838.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Squam Lake.

-Send to Governor and Executive Council-

**2015-02719                      ROCHESTER, CITY OF**  
**ROCHESTER   Willow Brook**

Requested Action:

Dredge and fill a total of 3,532 sq. ft. of wetland and surface waters for the removal of an existing improperly aligned 4 ft. x 8 ft. box culvert and replace with 3.5 ft. x 9.5 ft. precast concrete box culvert more aligned with the downstream channel, reconstruct two existing outfalls, and one culvert inlet.

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APPROVE PERMIT:

Dredge and fill a total of 3,532 sq. ft. of wetland and surface waters for the removal of an existing improperly aligned 4 ft. x 8 ft. box culvert and replace with 3.5 ft. x 9.5 ft. precast concrete box culvert more aligned with the downstream channel, reconstruct two existing outfalls, and one culvert inlet.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated October 1, 2015, and revised through January 15, 2016 as received by the NH Department of Environmental Services (DES) on January 19, 2016.

2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion for Willow Brook. Those plans shall detail the timing and method of stream flow diversion during construction, depict all temporary impacts and show temporary siltation/erosion/turbidity control measures to be implemented.
3. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
4. A New Hampshire Certified Wetland Scientist ("Project Manager") shall monitor/direct the stream restoration work during construction to assure it is constructed in accordance with the approved plans and narratives.
5. A post-construction report prepared by the Project Manager documenting the status of the stream restoration/simulation work shall be submitted to the NHDES Wetlands Bureau within 60 days following the completion of construction (or suspension of work).
6. No tree clearing shall be done between June 1-July 31 unless applicant receives written approval by the US Fish and Wildlife Service. A copy of the written approval shall be submitted to DES prior to tree clearing.
7. Work shall be done during low flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
11. Any dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of jurisdictional areas during construction.
15. Dewatering of work areas, if required, shall be conducted in a manner so as to prevent turbidity.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
17. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the stabilization areas during construction and during the early stages of vegetative establishment.
20. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.

With Findings:

1. This is a major impact project per Administrative Rule 904.04 (a)(1), Tier 3 Stream Crossings, projects on a watercourse where a contributing watershed is 640 acres or greater. 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated need to improve the sewer, utilities and stormwater in this area. Construction of the stormwater improvements including gravel wetlands, bioretention rain gardens, and grass treatment swales, will reduce annual Total Suspended Solids, Total Nitrogen, and Total Phosphorus to Willow Brook and the Cocheco River.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed replacement culvert will improve the crossing alignment with the existing stream and benefit the stream by promoting dynamic equilibrium and limiting increased aggradation caused by the existing abrupt alignment change.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

- Evaluation, has been considered in the design of the project. 5. The NH Natural Heritage Bureau has record of sensitive vertebrate species within the vicinity of this project. The applicant coordinated with NH Fish and Game Department to minimize the impacts to these sensitive species.
6. The applicant's agent has designed the stream crossing in accordance with DES Tier 3 Stream Crossings pursuant to Env-Wt 904.04 and Env-Wt 904.05. The proposed design will accommodate the 100-year frequency flood, will not restrict the movement of aquatic habitat through this stream reach, and the realignment will reduce the aggradation that currently exists. The applicant is proposing a closed-bottom culvert due to the close proximity of utilities in area, but stream river stone will be installed within the new culvert to simulate a natural stream channel.
7. Pursuant to Env-Wt 904.04(f)(2), compensatory mitigation is not required for this project. The applicant has demonstrated that this replacement of a Tier 3 Stream Crossing met all applicable requirements when originally installed and meets the requirements of Env-Wt 904.08.
8. The applicant submitted plans stamped by a NH Licensed Professional Engineer.
9. The DES Watershed Assistance Section is providing funding for this stormwater improvement project.
10. The Rochester Conservation Commission did not submit comments to DES on the application.
11. The Cocheco River Local Advisory Committee was properly notified and did not submit comments to DES on the application.
12. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2015-02780 DOVER, CITY OF**  
**DOVER Cocheco River**

**Requested Action:**

Proposal to dredge and fill a total of 11,020 square feet, 4,592 sq. ft. permanent and 6,428 sq. ft. temporary, of wetland and surface waters for the removal and replacement of an existing deteriorated bridge including roadway approach work to the bridge.

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**APPROVE PERMIT:**

Dredge and fill a total of 11,020 square feet, 4,592 sq. ft. permanent and 6,428 sq. ft. temporary, of wetland and surface waters for the removal and replacement of an existing deteriorated bridge including roadway approach work to the bridge.

**With Conditions:**

1. All work shall be in accordance with plans by Louis Berger dated September 24, 2015, as received by the NH Department of Environmental Services (DES) on October 26, 2015.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented. A Stormwater Pollution Prevention Plan (SWPPP) may be submitted as long as it contains the above information.
3. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Bureau.
4. Dredged material shall be placed out of the NHDES jurisdiction unless otherwise specified.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during low flow.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters, unless other methods are specifically authorized by the DES Wetlands Bureau after submittal of a SWPPP.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.



10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Appropriate storm water management and erosion control Best Management Practices (BMP) shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated. If the BMP conflicts with terms or conditions of this permit, the terms and conditions of this permit shall control.
17. The applicant/contractor shall limit unnecessary removal of vegetation within riparian areas during road construction and areas cleared of vegetation shall be re-vegetated as quickly as possible after construction to minimize erosion and restore wildlife habitat.
18. Land clearing in jurisdictional areas during construction is to be kept to a minimum to reduce impacts on wildlife habitat.
19. Standard precautions shall be taken not to import or transport soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
20. There shall be no further alteration of wetlands or surface waters without amendment of this permit.
21. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a major impact project per Administrative Rule 904.04 (a)(1), Tier 3 Stream Crossings, projects on a watercourse where a contributing watershed is 640 acres or greater. 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing bridge is in need of replacement due to safety reasons and is currently on the NH Department of Transportation's (NHDOT) Red List. The latest NHDOT bridge inspection report dated December 12, 2013 found the bridge to be structurally deficient, the deck in serious condition, substructure in fair condition, and is weight restricted.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed bridge replacement has been designed within the same general footprint and will be a one-span structure with the removal of the existing center pier from the river.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. 5. The NH Natural Heritage Bureau ("NHB") has record of sensitive species within the vicinity of this project, but NHB does not expect impacts to these species by the project.
6. The applicant's agent has designed the stream crossing in accordance with DES Tier 3 Stream Crossings pursuant to Env-Wt 904.04 and Env-Wt 904.05. The proposed design is a span structure, accommodates the 100-year frequency flood, and will simulate a natural stream channel. In addition, the proposed crossing preserves the current alignment of the Cochecho River, as well as the gradient of the reach to allow natural flow regimes within the river and associated floodplains.
7. Pursuant to Env-Wt 904.04(f)(2), compensatory mitigation is not required for this project. The applicant has demonstrated that this replacement of a Tier 3 Stream Crossing met all applicable requirements when originally installed and meets the requirements of Env-Wt 904.08.
8. The applicant submitted plans stamped by a NH Licensed Professional Engineer.
9. The Dover Conservation Commission voted unanimously on November 9, 2015 to endorse the DES application.
10. The project received a DES Shoreland Permit, 2015-02655, on December 10, 2015.
11. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**MINOR IMPACT PROJECT**

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**2015-02869**

**SILVER GRANADA REALTY LLC**

**BRENTWOOD**

**Requested Action:**

Dredge and fill a total of 9,970 sq. ft. of previously disturbed open grass and sedge palustrine wet meadow for commercial lot development to expand a self storage facility on a 10.62 acre parcel of land with higher value forested & scrub-shrub wetlands on site not being impacted by the development.

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**Conservation Commission/Staff Comments:**

10-29-15- No historic properties affected per DHR.

The Brentwood Conservation Commission did a site walk and voted to support the application and made suggestions that the applicant has incorporated into the site plan including treatment of runoff from the site.

**APPROVE PERMIT:**

Dredge and fill a total of 9,970 sq. ft. of previously disturbed open grass and sedge palustrine wet meadow for commercial lot development to expand a self storage facility on a 10.62 acre parcel of land with higher value forested & scrub-shrub wetlands on site not being impacted by the development.

**With Conditions:**

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated September 8, 2015, as received by the NH Department of Environmental Services (DES) on October 27, 2015.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. The permittee shall develop and implement a water quality monitoring program in accordance with requirements established by the DES Watershed Management Bureau.
5. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.
6. Prior to starting any work authorized by this permit, the permittee shall place orange construction fencing at the limits of construction to prevent unintentional encroachment on wetlands.
7. There shall be no further alteration of wetlands on this site for lot development, parking, driveways or other construction activities.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program and the Brentwood Conservation Commission within 60 days of final site stabilization.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in

accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is not in or adjacent to designated prime wetlands in the Town of Brentwood.
6. This project will utilize best management practices using low impact development (LID) techniques, including rain gardens, to treat storm water runoff to maintain water quality and improve filtration.
7. NH DHR reports no historic properties affected.
8. NH DRED NHB and NH Fish & Game report the presence of threatened or endangered reptile and amphibian species in the vicinity of the project, however their findings state that the wet meadow proposed for development does not provide suitable habitat for the listed species.
9. Higher value palustrine forested and scrub-shrub wetlands present on the 10.62 acre parcel of land are not impacted by the project.

**2015-03252                      RICHARD JENNY & AMY LINDAMOOD LIVING TRUST**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Permanently remove an existing 4 ft. x 30 ft. permanent dock, install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. seasonal walkway in a "U" configuration on an average of 205 ft. of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

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Conservation Commission/Staff Comments:

12/11/15 Con Com has no objections.

APPROVE PERMIT:

Permanently remove an existing 4 ft. x 30 ft. permanent dock, install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. seasonal walkway in a "U" configuration on an average of 205 ft. of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Don Carey dated November 24, 2015, as received by DES on December 7, 2015.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning

- seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
  7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
  8. All construction-related debris shall be placed outside of the areas subject to RSA 482-A .
  9. Any subdivision of the property that results in the structure being located on a lot having less than 150 ft. of frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
  10. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
  11. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
  12. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system which provides 3 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 205 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2015-03326                      DUBLIN WOMENS COMMUNITY CLUB INC**  
**DUBLIN   Dublin Pond**

Requested Action:

Replenish 1,136 sq. ft. of existing community beach on an average of 406 ft. of frontage along Dublin Lake, in Dublin.

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APPROVE PERMIT:

Replenish 1,136 sq. ft. of existing community beach on an average of 406 ft. of frontage along Dublin Lake, in Dublin.

With Conditions:

1. All work shall be in accordance with plans by NH Springs Environmental Consulting dated December 02, 2015, as received by DES on December 15, 2015.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual,

Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. No more than 20 cu. yd. of sand shall be used and all sand shall be located above the normal high water line.
10. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(f), replenishment of a private community beach with not more than 20 cubic yards of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2015-03332                      GARRISON GLEN LLC**  
**EXETER   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 6,178 sq. ft., in 4 separate areas, along the edge of a palustrine forested/scrub-shrub wetland for work associated with the development of the property to include a 106,585 sq. ft. light industrial and distribution facility, associated access road, parking, loading areas and stormwater management features on an existing lot within the Garrison Glen Industrial Park.

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Conservation Commission/Staff Comments:

12/17/15 Per Con. Com. request a delay of Bureau action until a report of findings is submitted or 40 days of filing with the Town Clerk (12/15/15). See letter.

12-22-15- Additional information needed per DHR.

01/22/2016 Con. Com. has no objections.

APPROVE PERMIT:

Dredge and fill a total of 6,178 sq. ft., in 4 separate areas, along the edge of a palustrine forested/scrub-shrub wetland for work associated with the development of the property to include a 106,585 sq. ft. light industrial and distribution facility, associated access road, parking, loading areas and stormwater management features on an existing lot within the Garrison Glen Industrial Park.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated 14 December 2015, as received by the NH Department of Environmental Services (DES) on December 16, 2015.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
4. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
6. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 sq. ft. of alteration in the aggregate in nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. US EPA NH PGP Project Review determined this application to be "Eligible as proposed".
6. NH Natural Heritage Bureau reports: "... no recorded occurrences for sensitive species near this project area".
7. NH DHR reports: "... it has been determined that there are no known properties of archaeological significance within the area of the undertaking's potential impact and no further identification or evaluative studies are recommended".
8. The Town of Exeter Office of Economic Development is in "full support" of the project.

**2015-03385                      BHARDWAJ, JASON**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Retain a 6 ft. x 40 ft. seasonal pier connected to a 6 ft. x 40 ft. seasonal pier by a 6 ft. x 12 ft. seasonal walkway in a "U" shaped configuration on an average of 158 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

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Conservation Commission/Staff Comments:

12/28/15 Con Com investigated and found that the docks had already been constructed. Unable to determine if the dock was in the same place as the former structure nor whether wetlands were impacted.

1/7/2015 - No historical properties affected per DHR.

APPROVE PERMIT:

Retain a 6 ft. x 40 ft. seasonal pier connected to a 6 ft. x 40 ft. seasonal pier by a 6 ft. x 12 ft. seasonal walkway in a "U" shaped configuration on an average of 158 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Don Carey dated December 18, 2015, as received by DES on December 22, 2015.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Any subdivision of the property that results in the structure being located on a lot having less than 150 ft. of frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the

- structures, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
9. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
10. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking structure that provides 3 slips on the frontage.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 158 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. This after-the-fact approval of the docking structure addresses the local Conservation Commission concerns.

**MINIMUM IMPACT PROJECT**

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**2010-03040                      PORTSMOUTH COUNTRY CLUB**  
**GREENLAND   Great Bay**

Requested Action:

Request permit time extension.

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APPROVE TIME EXTENSION:

Impact a total of 28,386 square feet of jurisdictional area to include: temporarily impact 14 square feet of tidal wetland and temporarily impact 962 square feet of previously developed 100-foot tidal buffer zone ("TBZ") to replace the existing culvert with a culvert equipped with a tide gate; Dredge 7,582 square feet of TBZ to enlarge an existing man-made pond on the north side of the 14th Fairway; and, Temporarily impact 544 square feet of palustrine emergent wetland to gain access to fill 3,700 square feet of an existing man-made pond on the south side of the 14th Fairway and dredge 15,029 square feet of palustrine emergent wetland to enlarge the same pond.

With Conditions:

1. All work shall be in accordance with plans by GZA GeoEnvironmental, Inc. dated October 2010 and revised 3/15/11, as received by the NH Department of Environmental Services (DES) on March 23, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. Work shall on the culvert, tide gate and headwall shall be done during low tide only.
6. All other work shall be done during seasonal low flow conditions.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. The impacts associated with the temporary work shall be remediated immediately following construction..
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands.
19. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
21. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

- 1.The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
- 2.This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2015-00693

CARLSON, LUCINDA/TIMOTHY

NEW LONDON

Requested Action:

Dredge and fill approximately 100 linear feet of perennial stream in order to remove an existing 24" HDPE culvert pipe and reconstruct a stream channel which will convey the stream to the existing discharge point on Pleasant Lake.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Dredge and fill approximately 100 linear feet of perennial stream in order to remove an existing 24" HDPE culvert pipe and reconstruct a stream channel which will convey the stream to the existing discharge point on Pleasant Lake.

With Findings:

Permit application denied due to untimely response to RFMI. A new permit application was submitted with a new design (2015-03051).

Requested Action:

Dredge and fill approximately 100 linear feet of perennial stream in order to remove an existing 24" HDPE culvert pipe and reconstruct a stream channel which will convey the stream to the existing discharge point on Pleasant Lake.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:



Dredge and fill approximately 100 linear feet of perennial stream in order to remove an existing 24" HDPE culvert pipe and reconstruct a stream channel which will convey the stream to the existing discharge point on Pleasant Lake.

With Findings:

1. A request for additional information dated June 11, 2015, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a)(2), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.
4. A new application with a new design was submitted on November 12, 2015 and approved on January 26, 2016 (2015-03051).

**2015-02992**                      **NUTE, JONATHAN**  
**MILTON**   **Unnamed Pond**

Requested Action:

Maintenance dredge a total of 7,000 sq. ft. of an existing man-made pond.

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Conservation Commission/Staff Comments:

11-19-15- No historic properties affected per DHR.

APPROVE PERMIT:

Maintenance dredge a total of 7,000 sq. ft. of an existing man-made pond.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering and Jonathan Nute dated December 17, 2004, as received by the NH Department of Environmental Services (DES) on January 25, 2015.
2. Drawdown of the pond shall occur slowly over a period of several days or more to allow more opportunities for reptiles and amphibians to escape the project area.
3. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill shall be done for lot development.
11. No fill shall take place in Atlantic white cedar swamps.
12. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
15. Work shall be done during low flow.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
2. In accordance with Administrative Rule Env-Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction. The applicant is maintenance dredging a portion of an existing man-made pond that contains phragmites, an invasive species, which will be removed and disposed of properly in an upland location of the property.
3. In accordance with Administrative Rule Env-Wt 303.04(p)(2) and Administrative Rule Env-Wt 303.04(p)(3), the applicant has demonstrated that there are no streams into or out of the proposed pond sites and the project is not located in or adjacent to prime wetlands.
4. Natural Heritage Bureau ("NHB") has record of sensitive species within the project vicinity, but NHB does not expect impacts to the species from the project.
5. The Milton Conservation Commission did not submit comments to DES on the application.

**2015-03051                      CARLSON, CINDY/TIM**  
**NEW LONDON   Unnamed Stream**

Requested Action:

Dredge and fill approximately 100' linear feet of perennial stream (Tier 1, unnamed stream) in order to remove 100' linear feet of existing 24" HDPE culvert pipe, replace 70' lin. ft. of 24" HDPE culvert pipe with 48" HDPE culvert pipe, and reconstruct 100' linear feet of stream channel which will convey the stream to Pleasant Lake.

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APPROVE PERMIT:

Dredge and fill approximately 100' linear feet of perennial stream (Tier 1, unnamed stream) in order to remove 100' linear feet of existing 24" HDPE culvert pipe, replace 70' lin. ft. of 24" HDPE culvert pipe with 48" HDPE culvert pipe, and reconstruct 100' linear feet of stream channel which will convey the stream to Pleasant Lake.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering entitled Tim and Cindy Carlson, 293 Lamson Lane Permitting dated November 2015 as received by the Department on November 12, 2015, and with revised Stream Restoration Plan (Sheet 2 of 4) dated January 18, 2016 as received by the Department on January 18, 2016.
2. All activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
3. There are no authorized impacts to jurisdictional wetlands within 20' ft. of the abutting property (Map 62, Lot 9).
4. All work shall be done in the dry conditions.

5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Appropriate erosion/siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. The existing culvert pipe will remain utilized until the proposed stream channel has been constructed and stabilized. Flow will only be redirected once the channel has been fully stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. The final surface of the stream channel bed shall be restored according to the plan Stone Specifications for Stream Restoration. Stone shall match the stone found in the stream channel upstream from the Lamson lane culvert to the greatest extent possible.
12. Only native plant species appropriate to the area shall be planted per the revised Stream Restoration Plan, Sheet 2 of 4 dated January 18, 2016.
13. The approved planting areas shall have at least 75% successful establishment of vegetation (approved plan species) after two (2) growing seasons, or shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
14. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
15. Machinery shall be staged and refueled in upland areas.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum impact project per Administrative Rule Env-Wt 303.04(o); Projects deemed minimum impact by the department based on the degree of environmental impact.
2. A permit application had been previously submitted (2015-00693) for a stream restoration project at the subject property (Tax Map 62, Lot 8), although abutter permission for wetland impacts within 20' of the abutting property were not approved by the abutting property owner.
3. The applicant has redesigned the proposed stream restoration project to construct along the north portion of the property and avoid potential wetland impacts within 20' of Tax Map 62, Lot 9.
4. The applicant's agent has confirmed the Owner of Tax Map 62, Lot 9 (abutter) has been notified of the proposed project by certified mail.
5. No additional comments were received from the abutting property owner (Tax Map 62, Lot 9) relative to the redesigned project.
6. The project is designed to remove 100' lin. ft. of stream from the existing culvert pipe drainage system. The constructed stream channel will be stabilized and vegetated with outlet to Pleasant Lake. A vegetated buffer (20' o.c.) shall be maintained along the stream channel.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culvert conveys wetland stream water under a garage to Pleasant Lake. The owner plans to demolish the existing garage. The proposed project will remove the culvert and restore a section of wetland stream channel.

8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
10. The applicant has provided written permission for wetland impacts within 20' ft. of the abutting property line from the owners of Tax Map 62, Lot 7.
11. There are no impacts to jurisdictional wetland areas authorized within 20' of the abutting property Tax Map 62, Lot 9.
12. Mitigation was not required as the project impacts were determined to be self-mitigating.
13. The Town of New London has confirmed permission to work within the Town right-of-way in order to remove the existing manhole, remove the existing culvert pipe, and construct a new headwall at a minimum of 4' from the edge of the roadway with an elevation close to the existing grade but no higher than the road.
14. The existing stream conveyance flows through a 24-inch culvert under Lamson Lane into a drain manhole. Then it continues in a 24-inch culvert under the existing garage, and is discharged into Pleasant Lake.
15. The project engineer indicates the capacity of the existing 24" culverts in the system is less than that of the upstream reference reach. Flows that exceed the culverts capacity follow an existing stone lined channel to another culvert located north of the site on Lamson Lane. There was no evidence of previous flooding conditions.
16. The proposed stream conveyance will include replacement of the existing concrete manhole and 45' ft. of existing 24" HDPE culvert pipe with 48" HDPE culvert pipe which outlets to a constructed stream channel discharging to Pleasant Lake.
17. The project engineer has provided hydraulic analysis that indicates the proposed 48" culvert will pass the 50-year storm event and the drain manhole will not overtop in the 100-year storm event.
18. The project engineer stated the proposed stream channel has a cross-sectional area of 12 square feet and has been designed to pass the 100-year storm event without overtopping.
19. The approved plan set is stamped by a PE.
20. No comments of concerns were submitted from the Conservation Commission.
21. The New Hampshire Natural Heritage Bureau (NHB) review indicated there are currently no recorded occurrences for sensitive species near the project area per letter dated December 9, 2014.

**2015-03341                      MULRENIN, DUDLEY**  
**MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Install a 11 ft. x 24 ft. seasonal canopy over an existing "U" shaped docking structure consisting of a 4 ft. x 27 ft. piling pier connected to a 4 ft. x 29 ft. piling pier by a 2 ft. x 11 ft. walkway accessed by an irregular shaped deck over public waters on an average of 115 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

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**Conservation Commission/Staff Comments:**

12-22-15- No historic properties affected per DHR.

12/28/15 Con Com has no objections but would like to note that the canopy was not in place when they investigated.

**APPROVE PERMIT:**

Install a 11 ft. x 24 ft. seasonal canopy over an existing "U" shaped docking structure consisting of a 4 ft. x 27 ft. piling pier connected to a 4 ft. x 29 ft. piling pier by a 2 ft. x 11 ft. walkway accessed by an irregular shaped deck over public waters on an average of 115 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

**With Conditions:**

1. All work shall be in accordance with plans by Don Carey dated December 11, 2015, as received by DES on January 21, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA

483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).

5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.

6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

7. Only those structures shown on the approved plans shall be installed or constructed along this frontage.

8. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the Department based on the degree of environmental impact.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant submitted a signed abutter permission for the impacts within the abutter's 20 foot setback.

**2015-03345**

**NOBLE, STEPHEN**

**ANTRIM Franklin Pierce Lake**

**Requested Action:**

Temporarily impact 435 sq. ft. of bank and bed to repair approximately 141 linear feet of retaining wall "in kind" with no change in configuration, dimensions, on Franklin Pierce Lake, Antrim.

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**APPROVE PERMIT:**

Temporarily impact 435 sq. ft. of bank and bed to repair approximately 141 linear feet of retaining wall "in kind" with no change in configuration, dimensions, on Franklin Pierce Lake, Antrim.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services dated November 27, 2015, as received by DES on December 17, 2015, and cross section plans received by DES on January 27, 2016.

2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).

4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.

5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A . Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.

9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

10. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
11. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
12. Work shall be done during low flow and in the dry only.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
14. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
15. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The local designated rivers committee did not submit comments to the file.
6. Eversource Energy has flowage rights on properties surrounding Franklin Pierce Lake. Eversource Energy submitted a letter indicating they have no objections to the proposed project as it relates to their flowage rights.

**FORESTRY NOTIFICATION**

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**2016-00132                      ANDREWS, MICHAEL**  
**HILLSBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hillsboro, Tax Map #1, Lot #9

**2016-00193                      NYE, JOSEPH/MARY**  
**SANDWICH   Unnamed Stream**

Requested Action:  
Sandwich, Tax Map #R4, Lot #9A&30.

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**2016-00209                      EARLE, ELIZABETH/PETER**  
**EFFINGHAM   Unnamed Stream**

Requested Action:

Effingham, Tax Map #404, Lot #1&2.

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**2016-00227                      FLOYD, ROBERT**  
**SOUTH TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:

South Tamworth, Tax Map #420, Lot #s 7 & 9

**2016-00233                      GREGORY, CAROL**  
**CONWAY   Unnamed Stream**

COMPLETE NOTIFICATION:

Conway, Tax Map #295, Lot #3

**2016-00234                      HARRIGAN FAMILY TRUST**  
**COLEBROOK   Unnamed Stream**

COMPLETE NOTIFICATION:

Colebrook, Tax Map #209, Lot #11

**2016-00235                      CROSS, SANDRA**  
**DEERFIELD   Unnamed Stream**

Requested Action:

Deerfield, Tax Map #414, Lot #142, 142-1, 142-2, 142-3

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**2016-00236                      STONE MOUNTAIN LLC**  
**RICHMOND   Unnamed Stream**

COMPLETE NOTIFICATION:

Richmond, Tax Map #s 403 / 404 & Lot #s 12 / 19 & 20

**2016-00241                      BAYROOT LLC**  
**DIXVILLE   Unnamed Stream**

Requested Action:

Dixville, Tax Map 1626, Lot# 9

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**2016-00253                      MEADOWSEND TIMBERLANDS LTD**  
**WEARE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Weare, Tax Map #405, Lot #33 & 35

**2016-00254                      TOWN OF EXETER**  
**EXETER   Unnamed Stream**

Requested Action:  
Exeter, Tax Map #49, Lot #8  
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**2016-00256                      PETTEE, CAROL/JAMES**  
**FRANCESTOWN   Unnamed Stream**

Requested Action:  
Francestown, Tax Map #6, Lot #61  
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**EXPEDITED MINIMUM**

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**2015-02757                      WYATT, ROBERT**  
**SALEM   Arlington Mill Reservoir**

Requested Action:  
Repair 57 linear feet of retaining wall "in kind" in the dry during drawdown with no changes in configuration or dimensions, on  
Arlington Mill Reservoir, Salem.  
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APPROVE PERMIT:  
Repair 57 linear feet of retaining wall "in kind" in the dry during drawdown with no changes in configuration or dimensions, on  
Arlington Mill Reservoir, Salem.

With Conditions:

1. All work shall be in accordance with plans as received by DES on January 05, 2016.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.



7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A . Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
11. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
12. Work shall be done during low flow and in the dry only.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
14. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
15. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2015-03194                      CHIARELLO, CHARLES & CHERYL**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Permanently remove two tie off piles in the southerly slip of a breakwater and associated docking facility, construct a 350 sq. ft. perched beach with no more than 10 cubic yards of sand and 4 ft. wide access steps, on Lake Winnepesaukee, Alton.

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APPROVE PERMIT:

Permanently remove two tie off piles in the southerly slip of a breakwater and associated docking facility, construct a 350 sq. ft. perched beach with no more than 10 cubic yards of sand and 4 ft. wide access steps, on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Ambrose Marine dated November 03, 2015, and revised through January 05, 2016, as received by DES on January 12, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA

483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).

5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.

6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.

10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.

12. The steps installed for access to the water shall be located completely landward of the normal high water line.

13. No more than 10 cu. yd. of sand shall be used and all sand shall be located above the normal high water line.

14. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.

15. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

17. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

#### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a perched beach.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

## GOLD DREDGE

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2016-00229                      ANDERSON, A LEE  
(ALL TOWNS)   Unnamed Stream

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

2016-00265                      COULTER, HARRY  
(ALL TOWNS)   Unnamed Stream

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

2016-00266                   HAMANN, CHRISTOPHER  
(ALL TOWNS)   Unnamed Stream

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

TRAILS NOTIFICATION

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2016-00257                   JENSEN, JONATHAN  
(ALL TOWNS)   Unnamed Stream

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

2016-00258                   JENSEN, PETER  
(ALL TOWNS)   Unnamed Stream

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

2016-00259                   JENSEN, JASON  
(ALL TOWNS)   Unnamed Stream

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

LAKES-SEASONAL DOCK NOTIF

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2016-00224                   BEMIS, SCOT  
WILMOT   Chase Pond

Requested Action:  
Installation of a seasonal docking structure.  
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COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

**2016-00226 HEON, RAYMOND & CYNTHIA  
STEWARTSTOWN Diamond Pond**

Requested Action:  
Installation of a seasonal docking structure.  
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COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

**PERMIT BY NOTIFICATION**

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**2015-03408 SHRULL, ROLAND & NANCY  
WINDHAM Cobbett's Pond**

Requested Action:  
Repair or replacement of the existing retaining wall and rip-rapped bank shall be performed "in the dry" during drawdown of waters, resulting in no change in height, length, location or configuration in accordance with plans by Benchmark Engineering, Inc. dated October 19, 2015 (as revised January 20, 2016) and received by the Department on January 25, 2016.  
\*\*\*\*\*

PBN IS COMPLETE:  
Repair or replacement of the existing retaining wall and rip-rapped bank shall be performed "in the dry" during drawdown of waters, resulting in no change in height, length, location or configuration in accordance with plans by Benchmark Engineering, Inc. dated October 19, 2015 (as revised January 20, 2016) and received by the Department on January 25, 2016.

**2016-00205 BELMONT, TOWN OF  
BELMONT Pumping Station Branch**

Requested Action:  
Disqualify PBN for proposal to dredge and fill 380 sq. ft. of stream for stabilization of the embankments along 4 existing culverts on Wareing Road and Pumping Station Branch stream, Tier 3 crossing, and associated roadway drainage improvements consisting of re-grading roadside ditches, vegetated swales and installation of drainage systems including dry wells and perforated pipes.  
\*\*\*\*\*

With Findings:

1. Env-Wt 506.01 Projects Qualifying for Permit by Notification.
  - (1) The construction or modification of a seasonal pier or wharf, located on a stream or river, that meets the criteria in Env-Wt 303.04(a);
  - (2) The repair or replacement of an existing retaining wall that meets the criteria in Env-Wt 303.04(c);
  - (3) Maintenance dredging that meets the criteria in Env-Wt 303.04(k);
  - (4) The construction of a temporary cofferdam and other water control devices that meets the criteria in Env-Wt 303.04(l);
  - (5) The repair of an existing docking structure that meets the criteria in Env-Wt 303.04(v);

- (6) The excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, that meets the criteria in Env-Wt 303.04(w);
- (7) The maintenance, repair, or replacement of a nondocking structure that meets the criteria in Env-Wt 303.04(x);
- (8) The replacement of a culvert or bridge and associated fill to permit vehicular access to one single family residence or building lot or to another property for noncommercial recreational use, including conservation projects, upgraded if necessary to meet the general design considerations specified in Env-Wt 904.01, provided the crossing is located on a watercourse where:
  - a. The contributing watershed is less than or equal to 25 acres; and
  - b. The criteria in Env-Wt 303.04(z) are met;
- (9) The replenishment of an existing beach that meets the criteria in Env-Wt 303.04(aa);
- (10) The construction of an anchoring pad for a seasonal dock that meets the criteria in Env-Wt 303.04(ab);
- (11) The installation of a seasonal boatlift that meets the criteria of Env-Wt 303.04(ac);
- (12) The installation of a personal watercraft lift that meets that criteria of Env-Wt 303.04(ad);
- (13) The installation of a residential utility line that meets the criteria of Env-Wt 303.04(ae);
- (14) Temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
2. The proposed project includes stabilization of embankment and stream bed associated with a Tier 3 stream crossing.
3. The current Administrative Rules for Permit by Notification ("PBN") Env-Wt 506.01(a)(7) and Env-Wt 303.04(x) do not cover the proposed stabilization work in the bank and streambed outside of the proposed cofferdam.
4. The department recognizes the need for the project, however, as documented the proposed activities do not qualify for the PBN process.
5. The project proposal will need to be resubmitted using a "Wetlands Permit Application".

**2016-00212                      CONNOLLY, THOMAS**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Maintenance, repair and replacement in-kind of existing breakwaters and dock with no change in location, configuration, construction type or dimensions in accordance with plans by Ambrose Marine Construction.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1/27/16 Con. Com. made a site visit and has no objections to issuance of the permit.

PBN IS COMPLETE:

Maintenance, repair and replacement in-kind of existing breakwaters and dock with no change in location, configuration, construction type or dimensions in accordance with plans by Ambrose Marine Construction.

**2016-00237                      KING, RICHARD**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Maintenance, repair and replacement in-kind of existing breakwater, dock and concrete ramp, provided no change in location, configuration, construction type or dimensions is proposed in accordance with plans by Folsom Design Group dated December 3, 2015.

\*\*\*\*\*

PBN IS COMPLETE:

Maintenance, repair and replacement in-kind of existing breakwater, dock and concrete ramp, provided no change in location, configuration, construction type or dimensions is proposed in accordance with plans by Folsom Design Group dated December 3,

2015.

## CSPA PERMIT

\*\*\*\*\*

**2011-00416                      DEGREGORY, LISA/RICHARD**  
**LACONIA   Winnisquam Lake**

### Requested Action:

Request permit time extension.

\*\*\*\*\*

### APPROVE TIME EXTENSION:

Impact 6,895 sq ft in order to construct an attached garage, modify existing driveway, add a patio, remove and repair retaining walls within the waterfront buffer.

### With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated August 10, 2015 and received by the NH Department of Environmental Services (DES) on August 11, 2015.
2. No more than 29.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,100 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

### With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.
2. This permit has been extended in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.

**2013-00806                      COMEI, DANIEL**  
**OSSIPEE   Ossipee Lake**

### Requested Action:

Amendment Description: Owner requested an addition 172 sq ft of impervious surface area in order to add staircase and additional storage area.

\*\*\*\*\*

### APPROVE AMENDMENT:

Impact 1,252 sq ft in order to construct a garage attached to an existing house, additional storage area, and a staircase.

With Conditions:

1. All work shall be in accordance with revised plans by Daniel A. Comei dated January, 25, 2016 and received by the NH Department of Environmental Services (DES) on January 26, 2016.
2. No more than 11% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-01967                      **SOMERSWORTH, CITY OF**  
**SOMERSWORTH Salmon Falls River**

Requested Action:

Amendment Description: The applicant requested to fill a low area along the trail for safety.

\*\*\*\*\*

Conservation Commission/Staff Comments:

8/17/15 Con Com does not object to project.

APPROVE AMENDMENT:

Project for the construction of a hand carry boat launch within the Shoreland jurisdiction includes, the resurfacing of an existing driveway, construction of a pavilion, regrading a gravel area, and adding a 6 ft wide path to a boat launch under a separate Wetlands Application. The project will includes filling a depression along the trail for safety.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated June 2015 and received by the NH Department of Environmental Services (DES) on July 29, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 7.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 10,225 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-03171                      ROWLEY, GLENN/PAULA**  
**WAKEFIELD   Lovell Lake**

**Requested Action:**

Impact 8,778 sq ft in order to tear down existing nonconforming structure and rebuild a conforming structure; eliminate existing asphalt driveway and construct a new gravel drive lessening the grade and implementing drainage controls; construct a new effluent disposal system for the proposed home.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 8,778 sq ft in order to tear down existing nonconforming structure and rebuild a conforming structure; eliminate existing asphalt driveway and construct a new gravel drive lessening the grade and implementing drainage controls; construct a new effluent disposal system for the proposed home.

**With Conditions:**

1. All work shall be in accordance with revised plans by Fox Survey Company dated January 11, 2016 and received by the NH Department of Environmental Services (DES) on January 12, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 23% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-03222                      GROSS, LYNN**  
**BRADFORD   Warner River**

**Requested Action:**

Impact 28,883 sq ft in order to grade for a fire wood production center.



\*\*\*\*\*

APPROVE PERMIT:

Impact 28,883 sq ft in order to grade for a fire wood production center.

With Conditions:

1. All work shall be in accordance with plans by Riverside Ecological Designs, LLC dated November 30, 2015 and received by the NH Department of Environmental Services (DES) on December 7, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 36% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-03360                      VAN DERVEN, BRUCE  
GRAFTON   Halfmoon Pond

Requested Action:

Impact 4,156 sq. ft. to construct a new cottage, driveway and septic system on a vacant lot.

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APPROVE PERMIT:

Impact 4,156 sq. ft. to construct a new cottage, driveway and septic system on a vacant lot.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated November 3, 2015 as revised and received by the NH Department of Environmental Services (DES) on January 27, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V(a)(2)(D)(iv).
4. No more than 5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 2,500 sq. ft. of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock or other suitable material.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-03396                      DIPACE, MARGARET/ROBERT**  
**CONWAY   Saco River**

**Requested Action:**

Impact 9,864 sq. ft. to construct a new house, driveway and septic system on a vacant lot.

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**APPROVE PERMIT:**

Impact 9,864 sq. ft. to construct a new house, driveway and septic system on a vacant lot.

**With Conditions:**

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated December 22, 2015 as revised January 26, 2016 and received by the NH Department of Environmental Services (DES) on January 27, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V(a)(2)(D)(iv).
4. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 2,699 sq. ft. of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock or other suitable material.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to

construction, excavation or fill that will occur within Wetlands jurisdiction.

13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-03425                      BEAZER EAST INC**  
**NASHUA   Merrimack River - Lower**

**Requested Action:**

Impact 236,004 sq ft in order to perform remediation of the Former Koppers Wood Treating Site. The project will include excavation and vegetation removal throughout the Shoreland Protection. The waterfront buffer will be re-vegetated.

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**APPROVE PERMIT:**

Impact 236,004 sq ft in order to perform remediation of the Former Koppers Wood Treating Site. The project will include excavation and vegetation removal throughout the Shoreland Protection. The waterfront buffer will be re-vegetated.

**With Conditions:**

1. All work shall be in accordance with plans by Key Environmental Incorporated dated December 11, 2015 and received by the NH Department of Environmental Services (DES) on December 29, 2015. 2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than .89% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 183,627 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**With Findings:**

1. In accordance with RSA 483-B:9, The commissioner shall have the authority to grant waivers from the minimum standards of this section. Such authority shall be exercised if the commissioner deems that strict compliance with the minimum standards of this section will provide no material benefit to the public and have no material adverse effect on the environment or the natural resources of the state.
2. The property is located along the Merrimack River in the Town of Nashua and is the subject of an environmental remediation of the Former Koppers Wood Treating Site.

3. The existing vegetation within the waterfront buffer currently meets the requirements for RSA 483-B:9 V.(a)(B),(C), and (D).
4. In order to remediate the site the waterfront buffer the groundcover, trees, stumps, and other vegetation must be removed.
5. The applicant proposes to reestablish the waterfront buffer with vegetation to the extent possible given severe slopes and space limitation.
6. The strict compliance with the minimum standards of this section will not provide material benefit to the public and will have no material adverse effect on the environment or the natural resources of the state and therefore, the requirements for a waiver to RSA 483-B:9, V, (a), (B),(C), and (D) have been met.

**2015-03432                      VAILAS, NICHOLAS**  
**ERROL   Clear Stream**

Requested Action:

Impact 43,560 sq ft in order to construct a recreational pond.

\*\*\*\*\*

APPROVE PERMIT:

Impact 43,560 sq ft in order to construct a recreational pond.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated September 2015 and received by the NH Department of Environmental Services (DES) on December 30, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 3.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 78,788 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2016-00052                      STEERS, GEORGE/ELAINE**  
**NEWBURY   Sunapee Lake**

Requested Action:

Impact 9,548 sq ft in order to remove the existing cottage, bunkhouse and garage, which are non-conforming and within the 50 ft. waterfront buffer. Construct a new cottage and bunkhouse with a small one-car garage beneath, which will be less non-conforming. Remove the existing driveway and construct a new shorter driveway further back from the lake.

\*\*\*\*\*

APPROVE PERMIT:

Impact 9,548 sq ft in order to remove the existing cottage, bunkhouse and garage, which are non-conforming and within the 50 ft. waterfront buffer. Construct a new cottage and bunkhouse with a small one-car garage beneath, which will be less non-conforming. Remove the existing driveway and construct a new shorter driveway further back from the lake.

With Conditions:

1. All work shall be in accordance with revised plans by CLD Consulting Engineers dated December 10, 2015 and received by the NH Department of Environmental Services (DES) on January 7, 2016.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 14.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,421 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2016-00170                      OBRIEN, TERRENCE**  
**HAMPTON   Hampton Harbor Inlet**

Requested Action:

Impact 5,150 sq ft in order to remove existing house and replace with a new reconfigured house.

\*\*\*\*\*

APPROVE PERMIT:

Impact 5,150 sq ft in order to remove existing house and replace with a new reconfigured house.

With Conditions:

1. All work shall be in accordance with plans by Peter J. Barbaro dated January 2016 and received by the NH Department of Environmental Services (DES) on January 15, 2016.
2. No more than 62% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.